

Attorney's Docket No. 031749/268956

NOV 09 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

In re: Halbert et al.
Appl No.: 10/657,404
Filed: September 8, 2003
For: NON-NATURALLY OCCURRING LIPOPROTEIN PARTICLE

Confirmation No.: 3177
Group Art Unit: 1653
Examiner: Robinson, Hope A.

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

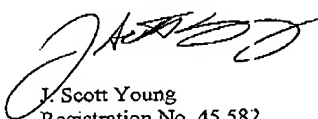
This is in response to the Office Action dated September 9, 2004, in which the Examiner has required restriction between Group I, namely Claims 1-15, Group II, namely Claims 16-23, and Group III, namely Claims 24-25. Applicant hereby provisionally elects without traverse to prosecute the claims of Group I (Claims 1-15) and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

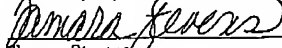
Respectfully submitted.

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at
Fax No. (703) 872-9396 on the date shown below.


Tamara Stevens


November 9, 2004
Date